

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Nationstar Mortgage LLC,

Plaintiff

v.

Independence II Homeowners' Association, et
 al.,

Defendants

2:15-cv-02151-JAD-NJK

**Order Granting Stipulations for Extension
 of Time Nunc Pro Tunc**

[ECF Nos. 36, 37]

Effective May 1, 2016, Rule IA 6-1 of the Local Rules of Practice for the United States District Court for the District of Nevada makes it clear that motions or stipulations for extensions of time made “after the expiration of the specified period will not be granted unless the movant or attorney demonstrates that the failure to file the motion before the deadline expired was the result of excusable neglect.”

Independence II Homeowners' Association and Saticoy Bay, LLC each moved to dismiss Nationstar Mortgage, LLC's claims against them.¹ Nationstar's deadlines to respond to both motions were extended under stipulated orders to May 23, 2016.² Three days after those deadlines had expired, Nationstar and Independence HOA and Nationstar and Saticoy Bay stipulated to extend the deadlines to May 26, 2016.³ Neither stipulation mentions, let alone demonstrates, that the failure to file before the deadline expired was the result of excusable neglect.

I am inclined to deny the stipulations and strike Nationstar's omnibus response to the motions to dismiss for this reason. But Nationstar included a cross-motion for summary

¹ ECF Nos. 15 (Saticoy Bay's motion to dismiss), 17 (Independence HOA's motion to dismiss).

² ECF Nos. 25 (regarding Saticoy Bay's motion), 26 (regarding Independence HOA's motion).

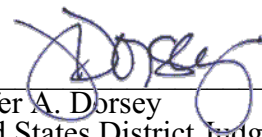
³ ECF Nos. 36 (regarding Independence HOA's motion), 37 (regarding Saticoy Bay's motion).

1 judgment with its omnibus response to the motions to dismiss,⁴ and I anticipate that striking the
2 cross-motion will only further extend the time that briefing on these issues will be concluded,
3 i.e., Nationstar will simply refile its request for summary judgment not as a cross-motion but as a
4 stand-alone one.

5 Accordingly, in the interest of moving the briefing on these issues to its conclusion, IT IS
6 HEREBY ORDERED that **Nationstar and Independence HOA's stipulation to extend the**
7 **deadline for Nationstar's response [ECF No. 36] and Nationstar and Saticoy Bay's**
8 **stipulation to extend the deadline for Nationstar's response [ECF No. 37] are GRANTED**
9 **nunc pro tunc.** Nationstar's response [ECF NO. 38] will be deemed timely filed.

10 The parties are cautioned that further violations of the local rules will not be excused.

11 DATED: June 2, 2016

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14 Jennifer A. Dorsey
15 United States District Judge
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28 ⁴ ECF No. 40. Nationstar originally filed its omnibus response and cross-motion as a single document, but was required to refile the cross-motion as its own document under LR IC 2-2(b).